

September 26, 1985

Hon. Robert Wilentz
Chief Justice
New Jersey Supreme Court
Hughes Justice complex
Trenton, New Jersey 08625

Re: Confidential Task Force Report

Dear Chief Justice:

We were shocked at the recent disclosure by the Star Ledger of a sealed report on bias against minorities in the state court system prepared and delivered to the Court in July, 1984.

Given the nature of the report and its conclusions, we are concerned that the Court did not disclose its contents to the public prior to the Star-Ledger disclosure. As you are aware, through private discussions with some members our group, we have a long standing concern with the plight, not only of minority litigants who appear before our courts in New Jersey, of those minorities who work in the court system either as law clerks, secretaries, bailiffs, clerks and minority lawyers who must by necessity interface with that system and their particular status in the profession. The secret report only heightens our concern. The lingering inequality before the bench and behind the bench, in the profession, of educational, employment and career opportunities for minorities is a grave national concern and problem. You must, however, be applauded for your courage to face the hard issues of minority bias in the court system. We only ask: Why did you keep the report secret for so long? But beginnings must be made. We view the Star-Ledger disclosure as an opportunity to educate the public about the plight of minority litigants and lawyers.

An objective examination of the recent history of the profession and the judiciary leads to the inevitable conclusion that de facto racism still endures. Equality of opportunity for blacks, hispanic and other minority litigants and lawyers is a promise yet unfulfilled. Inequality exists because of a lack of individual awareness and understanding. Institutional racism persists only for lack of forthright actions and affirmative programs by institutions such as our court whose very objectives are justice and equality.

The historic facts and perceptions of the Task Force's report to the Court present a great opportunity for the court and should not be viewed as casting aspersions or assigning blame. The perceptions as articulated in the report must be confronted and discussed by all segments of the judicial community, including minority lawyers. We owe it to our profession, to minority litigants and lawyers and, most importantly, to the highest ideals of our society to take strong affirmative measures to open our profession to minority Americans.

Despite the strong message of the report, minority litigants and minority lawyers have had to endure one more year of continuing prejudice and bias in our court system. The time has come for it to end. We urge you to take action and appoint a broad representative group of lawyers and nonlawyers to look at the problems confronting minorities in our profession and in the judiciary.

Robert T. Pickett will call you in the next few days to arrange a meeting in early October to further discuss our concerns. In addition, we respectfully request a copy of the full report of the Task Force for our review.

Thank you for your kind consideration.

Very truly yours,

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